R 1452.1

AN

AGREEMENT

Prepared for the

People of England,

And the places therewith Incorporated,

For a ſecure and preſent PEACE,
upon Grounds of Common Right
Freedom and Safety.

Alſo, a DECLARATION of the General Councel
of Officers, concerning the ſame.

With a PETITION of his Excellency and the
ſaid General Councel, preſented therewith, *Saturday*,
January 20. 1648. To the Honorable the

COMMONS of ENGLAND
in PRLIAMENT aſſembled.

Here tendred to the Peoples Conſiderations, and in due time
for their Subſcriptions.

BY *the Appointment of the Generall Councel of Officers of the Army.* Signed,
JOHN RUSHVVORTH, Sec'

LONDON,
Printed for *John Partridge*, *R. Harford*, *G. Calvert*, and
G. Whittington. MDCXLIX.

415

To the honorable the Commons of ENGLAND in Parliament assembled;

The humble Petition of his Excellency Thomas *Lord* Fairfax, *and the General Councel of Officers of the Army under his Command, concerning the Draught of* An Agreement of the People, *by them framed and prepared.*

IN our late Remonstrance of the 18 of November last, we propounded (next after the matters of publike Justice) some Foundations for a general settlement of Peace in the Nation; which we therein desired might be formed and Established in the nature of a generall Contract or Agreement of the People; and since then, the matters so propounded being wholy rejected, or no consideration of them admitted in Parliament (though visibly of highest Moment to the Publique) and all ordinary Remedies being denyed, we were necessitated to an extraordinary way of Remedy, whereby to avoyd the mischiefs then at hand, and set you in a condition (without such obstructions or diversions by corrupt Members) to proceed to matters of publique Justice and general Settlement. Now as nothing did in our own hearts more justifie our late undertakings towards many Members in this Parliament,

then the neceſſity thereof in order to a ſound Settlement in the Kingdom, and the integrity of our intentions to make uſe of it only to that end, ſo we hold our ſelves obliged to give the People all aſſurance poſſible, That our oppoſing the corrupt cloſure endeavoured with the King, was not in deſigne to hinder Peace or Settlement, (thereby to render our employments, as Souldiers, neceſſary to be continued,) and that neither that extraordinary courſe we have taken, nor any other proceeding of ours, have been intended for the ſetting up of any particular Party or Intereſt, by or with which to uphold our ſelves in Power and Dominion over the Nation, but that it was and is the deſire of our hearts, in all we have done, (with the hindering of that imminent evil, and deſtructive conjunction with the King) to make way for a ſettlement of the Peace and Government of the Kingdom upon Grounds of common Freedom and Safety: And therefore, becauſe our former Overtures for that purpoſe (being only in general terms, and not reduced to a certainty of particulars fit for practiſe) might poſſibly be underſtood, but as plauſible pretences, not intended really to be put into

effect

effect, We have thought it our duty to draw out thoſe generals into an intire frame of particulars, aſcertained with ſuch circumſtances as may make it effectively practicable: And for that end, while your time hath been taken up in other matters of high and preſent Importance, we have ſpent much of ours in preparing and perfecting ſuch a draught of an Agreement, and in all things ſo circumſtantiated, as to render it ripe for your ſpeedier conſideration, and the Kingdoms acceptance and practiſe (if approved:) And ſo we do herewith humbly preſent it to you.

Now to prevent miſunderſtanding of our intentions therein, We have but this to ſay, That we are far from ſuch a ſpirit, as poſitively to impoſe our private apprehenſions upon the judgments of any in the Kingdom, that have not forfeited their Freedom, and much leſſe upon your ſelves: Neither are we apt in any wiſe to inſiſt upon circumſtantial things, or ought that is not evidently fundamental to that publique Intereſt for which You and We have declared and engaged; But in this Tender of it we humbly deſire,

1. *That whether it ſhall be fully approved by You and received by the People (as it now ſtands) or not,*

it

it may yet remain upon Record, before you, a perpetual witness of our real intentions and utmost endeavors for a sound and equal Settlement, and as a testimony, whereby all men may be assured, what we are willing and ready to acquiesce *in, and their jealousies satisfied or mouths stopt, who are apt to think or say, We have no bottom.*

2. *That (with all expedition which the immediate and pressing great affairs will admit) it may receive your most mature Consideration and Resolutions upon it; not that we desire either the whole, or what you shall like in it, should be by your Authority imposed as a Law upon the Kingdom, (for so it would lose the intended nature of* An Agreement of the People,) *but that (so far as it concurs with your own judgments) it may receive Your Seal of Approbation only.*

3. *That (according to the method propounded therein) it may be tendred to the People in all parts, to be subscribed by those that are willing, (as Petitions, and other things of a voluntary nature, are) and that meanwhile, the ascertaining of those circumstances, which it refers to Commissioners in the several Counties, may be proceeded upon in a way preparatory to the practise of it: And if upon the Account of subscriptions (to be returned by those Commissioners in* April *next) there appear to be a general or common Reception of it among the People, or by the well-affected of them, and such as are not obnoxious for Delinquency, it may then take place, and effect according to the Tenor and Substance of it.* *And Your Petitioners shall pray, &c.*

WHITEHALL *Jan.* 15. 1649. By the Appointment of his Excellency, and the general Council of Officers of the Army.

Jo: RUSHVVORTH *Secr.*

417

AN AGREEMENT OF THE PEOPLE OF ENGLAND,

And the places therewith INCORPORATED,

For a ſecure and preſent Peace, upon Grounds of Common Right, Freedom and Safety.

HAving by our late labors and hazards made it appear to the world at how high a rate we value our Juſt Freedom, And God having ſo far owned our cauſe as to deliver the Enemies thereof into our hands, We do now hold our ſelves bound in mutuall duty to each other to take the beſt care we can for the future, to avoyd both the danger

ger of returning into a ſlaviſh condition, and the chargeable remedy of another War: For as it cannot be imagined, That ſo many of our Country men would have oppoſed us in this Quarrell, if they had underſtood their own good, ſo may we hopefully promiſe to our ſelves, That when our Common Right and Liberties ſhall be cleared, their endeavors will be diſappointed, that ſeek to make themſelves our Maſters, ſince therefore our former oppreſſions, and not yet ended troubles, have been occaſioned, either by want of frequent National Meetings in Councel, or by the undue or unequal Conſtitution thereof, or by rendering thoſe meetings uneffectual. We are fully agreed and reſolved (God willing) to provide, That hereafter our Repreſentatives be neither left to an uncertainty for time, nor be unequally conſtituted, nor made uſeleſs to the ends for which they are intended.

In Order whereunto We Declare and Agree;

1. That to prevent the many inconveniencies, apparently ariſing from the long continuance of the ſame perſons in ſupream Authority, this Preſent Parliament end and diſolve upon, or before the laſt day of *April*, in the year of our Lord. 1649.

2. That the People of *England* (being at this day very unequally diſtributed, by Counties, Cities and Burroughs, for the Election of their Repreſentatives) be indifferently proportioned: And to this end, That the Repreſentative of the whole Nation ſhall conſiſt of four hundred perſons, or not above; and in each County, and the places thereto ſubjoyned, there ſhall be choſen, to make up the ſaid Repreſentative at all times, the ſeveral unmbers here mentioned; *VIZ.*

In the County of *Kent*, with the Burroughs, Towns, and Pariſhes therein (except ſuch as are hereunder particularly named)	ten.	10
The City of *Canterbury*, with the Suburbs adjoyning, and Liberties thereof,	two.	2
The City of *Rocheſter*, with the Pariſhes of *Chatham* and *Strowd*,	one.	1
The Cinque Ports in *Kent* and *Suſſex*, *viz.* *Dover*, *Rumney*, *Hyde*, *Sandwich*, *Haſtings*, with the townes of *Rye* and *Winchelſey*,	three.	3
The County of *Suſſex*, with the Burroughs, Towns and Pariſhes therein (except *Chicheſter*)	eight.	8
The City of *Chicheſter*, with the Suburbs and Liberties thereof,	one.	1
The County of *Southampton*, with the Burroughs, Towns and Pariſhes therein, except ſuch as are hereunder named,	eight.	8
The City of *Wincheſter*, with the Suburbs and Liberties thereof,	one.	1
The County of the town of *Southampton*,	one.]	1
The County of *Dorſet*, with the Burroughs, Townes and Pariſhes therein (except *Dorcheſter*)	ſeven.	7
The Town of *Dorcheſter*,	one.]	1
The County of *Devon*, with the Burroughs, Towns and Pariſhes therein, except ſuch as are hereunder particularly named,	twelve.	12
The City of *Exceſter*,	two.]	2

The Town of *Plymouth*,	two.]	2
The Town of *Barnſtaple*,	one.]	1
The County of *Cornwall*, with the Burroughs, Towns, and Pariſhes therein,	eight.	8
The County of *Somerſet*, with the Burroughs, Townes and Pariſhes therein, except ſuch as are hereunder named,	eight.	8
The City of *Briſtoll*,	three.]	3
The Towne of *Taunton-Deane*,	one.]	1
The County of *Wilts*, with the Burroughs, Towns and Pariſhes therein (except *Saliſbury*,	ſeven.	7
The City of *Saliſbury*,	one.]	1
The County of *Berks*, with the Burroughs, Towns and Pariſhes therein, except *Reading*,	five.	5
The Town of *Reading*,	one.]	1
The County of *Surrey*, with the Burroughs, Towns, and Pariſhes therein, except *Southwarke*,	five.	5
The Burrough of *Southwarke*,	two.]	2
The County of *Middleſex*, with the Burroughs, Towns, and Pariſhes therein, except ſuch as are hereunder named,	four.	4
The City of *London*,	eight.]	8
The City of *Weſtminſter*, and the *Dutchy*,	two.]	2
The County of *Hartford*, with the Burroughs, Towns, and Pariſhes therein,	ſix.	6

The

The County of *Buckingham* with the Burroughs, Towns and Pariſhes therein,	ſix.	6
The County of *Oxon*, with the Burroughs, Towns, and Pariſhes therein (except ſuch as are here under-named)	four.	4
The City of *Oxon*,	two.	2
The Univerſity of *Oxon*,	two.	2
The County of *Gloceſter*, with the Burroughs, and Pariſhes therein (except Gloceſter)	towns ſeven.	7
The City of *Gloceſter*,	two.	2
The County of *Hereford*, with the Burroughs, and Pariſhes therin (except *Hereford*)	towns, four.	4
The Citie of *Hereford*,	one.	1
The County of *Worceſter*, with the Burroughs, towns, and Pariſhes therein (except *Worceſter*)	foure.	4
The City of *Worceſter*,	two.	2
The County of *Warwicke*, with the Burroughs, townes, and Pariſhes therein (except *Coventrey*)	five.	5
The City of *Coventrey*,	two.	2
The County of *Northampton*, with the Burroughs, towns and Pariſhes therein (except *Northampton*)	five.	5
The Town of *Northampton*,	one.	1
The County of *Bedford*, with the Burroughs, townes, and Pariſhes therein,	foure.	4

The County of *Cambridge*, with the Burroughs, towns, and Pariſhes therein (except ſuch as are here under particularly named)	foure.	4
The Univerſity of *Cambridge*,	two.	2
The Town of *Cambridge*,	two.	2
The County of *Eſſex*, with the Burroughs, towns, and Pariſhes therein (except *Colcheſter*)	eleven.	11
The Town of *Colcheſter*,	two.	2
The County of *Suffolk*, with the Burroughs, Towns, and Pariſhes therein (except ſuch as are hereunder named)	ten.	10
The Town of *Ipſwich*,	two.	2
The Town of *S. Edmonds Bury*,	one.	1
The County of *Norfolk*, with the Burroughs, Towns, and Pariſhes therein (except ſnch as are hereunder named)	nine.	9
The City of *Norwich*,	three.	3
The Town of *Lynne*,	one.	1
The Town of *Yarmouth*,	one.	1
The County of *Lincoln*, with the Burroughs, Towns, and Pariſhes therein (except the City of *Lincoln*, and the town of *Boſton*)	eleven.	11
The City of *Lincoln*,	one.	1
The Town of *Boſton*,	one.	1
The County of *Rutland*, with the Burroughs, Townes, and Pariſhes therein,	one.	1

The

420

The County of *Huntington*, with the Burroughs, Towns and Pariſhes therein, three.		3
The County of *Leiceſter*, with the Burroughs, Townes and Pariſhes therein (except *Leiceſter*) five.		5
The Town of *Leiceſter*, one.		1
The County of *Nottingham*, with the Burroughs, Towns and Pariſhes therein (except *Nottingham*) foure.		4
The Town of *Nottingham*, one.		1
The County of *Derby*, with the Burroughs, Townes, and Pariſhes therein (except *Derby*) five.		5
The Town of *Derby*, one.		1
The County of *Stafford*, with the City of *Lichfield*, the Burroughs, towne and Pariſhes therein, ſix.		6
The County of *Salop*, with the Burroughs, towns, and Pariſhes therein (except *Shrewsbury*) ſix.		6
The Town of *Shrewesbury*, one.		1
The County of *Cheſter*, with the Burroughs, townes, and Pariſhes therein (except *Cheſter*) five.		5
The City of *Cheſter*, two.		2
The County of *Lancaſter*, with the Burroughs, townes, and Pariſhes therein (except *Mancheſter*) ſix.		6
The town of *Mancheſter*, and the Pariſh, one.		1
The County of *Yorke*, with the Burroughs, towns, and Pariſhes, therein, except ſuch as are here under named, fifteen.		15

The

The City and County of the City of *Yorke*,	three.]	3
The Town and County of *Kingſton* upon *Hull*,	one.]	1
The town and Pariſh of *Leeds*,	one.]	1
The County *Palatine* of *Dureſme*, with the Burroughs, towns, and Pariſhes therein, except *Dureſme* and *Gateſide*,	three.	3
The City of *Dureſme*,	one.]	1
The County of *Northumberland*, with the Burroughs, towns and Pariſhes therein, except ſuch as are here under named,	three.	3
The Town and County of *Newcaſtle* upon *Tyne*, with *Gateſide*,	two.	2
The Town of *Berwicke*,	one.]	1
The County of *Cumberland*, with the Burroughs, towns, and Pariſhes therein,	three.	3
The County of *VVeſtmerland*, with the Burroughs, towns and Pariſhes therein,	two.	2
The Iſle of *Angleſey* (with the Pariſhes therein)	two.]	2
The County of *Brecknock*, with the Burroughs, towns, and Pariſhes therein,	three.	3
The County of *Cardigan*, with the Burroughs and Pariſhes therein,	three.	3
The County of *Caermarthen*, with the Burroughs and Pariſhes therein,	three.	3
The County of *Carnarvon*, with the Burroughs and Pariſhes therein,	two.	2

The

421

The County of *Denbigh*, with the Burroughs and Pariſhes therein,	two.	2
The County of *Flint*, with the Burroughs and Pariſhes therein,	one.	1
The County of *Monmouth*, with the Burroughs and Pariſhes therein,	foure.	4
The County of *Glamorgan*, with the Burroughs and Pariſhes therein,	foure.	4
The County of *Merioneth*, with the Burroughs and Pariſhes therein,	two.	2
The County of *Mountgomery*, with the Burroughs and Pariſhes therein,	three.	3
The County of *Radnor*, with the Burroughs and Pariſhes therein,	two.	2
The County of *Pembroke*, with the Burroughs, Towns and Pariſhes therein,	foure.	4

Provided

Provided, That the firſt or ſecond Repreſentative may (if they ſee cauſe) aſſigne the remainder of the foure hundred Repreſentors, (not hereby aſſigned) or ſo many of them as they ſhall ſee cauſe for, unto ſuch Counties as ſhall appear in this preſent diſtribution to have leſſe then their due proportion. Provided alſo, That where any Citie or Burrough to which one Repreſentor or more is aſſign'd ſhall be found in a due proportion, not competent alone to elect a Repreſentor, or the number of Repreſentors aſſign'd thereto, it is left to future Repreſentatives to aſſigne ſuch a number of Pariſhes or Villages neare adjoyning to ſuch City, or Burrough, to be joyned therewith in the Elections, as may make the ſame proportionable.

3. That the people do of courſe chooſe themſelves a Repreſentative once in two yeares, and ſhall meet for that purpoſe upon the firſt Thurſday in every ſecond May by eleven of of Clock in the morning, and the Repreſentatives ſo choſen to meet upon the ſecond Thurſday in June following at the uſuall place in Weſtminſter, or ſuch other place as by the foregoing Repreſentative, or the Councell of State in the intervall, ſhall be from time to time appointed and publiſhed to the People, at the leaſt twenty daies before the time of Election. And to continue their Seſſion there or elſewhere untill the ſecond Thurſday in December following, unleſſe they ſhall adjourne, or diſſolve themſelves ſooner, but not to continue longer. The Election of the firſt Repreſentative to be on the firſt Thurſday in May, 1649. And that, and all future Elections to be according to the rules preſcribed for the ſame purpoſe in this Agreement, viz.

1. That the Electors in every Diviſion, ſhall be Natives, or Denizons of England, not perſons receiving Almes, but ſuch as are aſſeſſed ordinarily, towards the reliefe of the poore; not ſervants to, and receiving wages from any particular perſon. And in all Elections, (except for the Univerſities,) they ſhall be men of one and twenty yeares old, or upwards, and houſe-keepers, dwelling within

within the Deviſion for which the Election is provided, That untill the end of ſeven yeares next enſuing the time herein limited for the end of this preſent Parliament, no perſon ſhall be admitted to, or have any hand or voice in ſuch Elections, who hath adhered unto, or aſſiſted the *King* againſt the *Parliament*, in any the late Warres, or Inſurrections, or who ſhall make, or joyne in, or abet any forcible oppoſition againſt this Agreement.

2. That ſuch perſons and ſuch only, may be elected to be of the Repreſentative, who by the rule aforeſaid are to have voice in Elections in one place or other; provided, That of thoſe, none ſhall be eligible for the firſt or ſecond Repreſentatives, who have not voluntarily aſſiſted the *Parliament* againſt the *King*, either in perſon before the 14th. of *June* 1645. or elſe in Money, Plate, Horſe, or Armes, lent upon the Propoſitions before the end of *May* 1643. or who have joyned in, or abetted the treaſonable Engagement in *London*, in the year 1647. or who declared or engaged themſelves for a Ceſſation of Armes with the *Scots*, that invaded this Nation, the laſt Summer, or for complyance with the Actors in any the inſurrections, of the ſame Summer, or with the Prince of *Wales*, or his accomplices in the Revolted Fleete. And alſo provided, That ſuch perſons as by the rules in the preceding Article are not capable of electing untill the end of ſeven years, ſhall not be capable to be elected untill the end of foureteen years, next enſuing. And we do deſire and recommend it to all men, that in all times the perſons to be choſen for this great truſt, may be men of courage, fearing God, and hating covetouſneſſe, and that our

Repreſentatives would make the beſt Proviſions for that end.

3 That who ever, by the two rules in the next preceding Articles, are incapable of Election, or to be elected, ſhall aſſume to vote in, or be preſent at ſuch Elections for the firſt or ſecond Repreſentative, or being elected ſhall preſume to ſit or vote in either of the ſaid Repreſentatives, ſhall incur the pain of confiſcation of the moyety of his Eſtate, to the uſe of the publike, in caſe he have any Eſtate viſible, to the value of fifty pounds. And if he have not ſuch an Eſtate, then ſhall incur the pain of impriſonment, for three months; And if any perſon ſhall forcibly oppoſe, moleſt, or hinder the people, (capable of electing as aforeſaid) in their quiet and free Election of Repreſentors, for the firſt Repreſentative, then each perſon ſo offending ſhall incur the penalty of confiſcation of his whole Eſtate, both reall and perſonall; and (if he have not an Eſtate to the value of fifty pounds,) ſhall ſuffer impriſonment during one whole year without Bayle, or mainprize. Provided, That the Offender in each ſuch caſe, be convicted within three Months next after the committing of his offence, And the firſt Repreſentative is to make further proviſion for the avoyding of theſe evills in after Elections.

4 That to the end, all Officers of State may be certainly accomptable, and no factions made to maintain corrupt intereſts, no Member of a Councel of State, nor any Officer of any ſalary forces in Army, or Gariſon, nor any Treaſurer or Receiver of publique monies, ſhall (while ſuch) be elected to be of a Repreſentative. And in caſe any ſuch Election ſhall be, the ſame to be void. And

in

in caſe any Lawyer ſhall be choſen of any Repreſentative, or Councel of State, then he ſhall be uncapable of practice as a Lawyer, during that truſt.

5 For the more convenient Election of Repreſentatives, each County wherein more then three Repreſentors are to be choſen, with the Townes Corporate and Cities, (if there be any) lying within the compaſſe thereof, to which no Repreſentors are herein aſſigned, ſhall be divided by a due proportion into ſo many, and ſuch parts, as each part may elect two, and no part above three Repreſentors; For the ſetting forth of which Diviſions, and the aſcertaining of other circumſtances hereafter expreſt, ſo as to make the Elections leſſe ſubject to confuſion, or miſtake, in order to the next Repreſentative, *Thomas* Lord *Grey* of *Grooby*, Sir *John Danvers*, Sir *Henry Holcraft*, Knights; *Moſes Wall* Gentleman, *Samuel Moyer*, *John Langley*, *William Hawkins*, *Abraham Babington*, *Daniel Taylor*, *Mark Hilſley*, *Richard Price*, and Col. *John White*, Citizens of *London*, or any five, or more of them are intruſted to nominate and appoint under their Hands and Seales, three or more fit perſons in each County, and in each Citie, and Borough, to which one Repreſentor or more is aſſigned to be as Commiſſioners for the ends aforeſaid, in the reſpective Counties, Cities, and Burroughs, and by like writing under their Hands and Seales ſhall certifie into the Parliament Records, before the fourteenth day of *February* next, the names of the Commiſſioners ſo appointed for the reſpective Counties, Cities, and Burroughs, which Commiſſioners or any three, or more of them, for the reſpective Counties, Cities, and Burroughs, ſhall before the end of *February* next, by writing under their Hands and Seales, ap-

appoint two fit and faithfull perſons, or more in each Hundred, Lath, or Wapentake, within the reſpective Counties, and in each Ward, within the City of *London*, to take care for the orderly taking of all voluntary ſubſcriptions to this Agreement by fit perſons to be imploy'd for that purpoſe in every Periſh who are to returne the ſubſcriptions ſo taken to the perſons that imployed them, (keeping a tranſcript thereof to themſelves,) and thoſe perſons keeping like Tranſcripts to return the Originall ſubſcriptions to the reſpective Commiſſioners, by whom they were appointed, at, or before the fourteenth of *Aprill* next, to be regiſtred and kept in the County Records, for the ſaid Counties reſpectively, and the ſubſcriptions in the City of *London*, to be kept in the chief Court of Record for the ſaid City. And the Commiſſioners for the other Cities and Borroughs reſpectively, are to appoint two or more fit perſons in every Pariſh within their Precincts to take ſuch ſubſcriptions, and (keeping tranſcripts thereof) to return the Originalls to the reſpective Commiſſioners by the ſaid fourteenth of *Aprill* next, to be regiſtred and kept in the chief Court within the reſpective Cities and Burroughs. And the ſame Commiſſioners, or any three, or more of them, for the ſeverall Counties, Cities, and Boroughs, reſpectrively, ſhall, where more then three Repreſentors are to be choſen, divide ſuch Counties (as alſo the City of *London*) into ſo many, and ſuch parts as are aforementioned, and ſhall ſet forth the bounds of ſuch diviſions, and ſhall in every County, City, and Borough (where any Repreſentors are to be choſen) and in every ſuch diviſion as aforeſaid within the City of *London*, and within

within the ſeverall Counties ſo divided, reſpectively, appoint one certaine place wherein the people ſhall meet for the choiſe of their Repreſentors, and ſome one fit Perſon or more inhabiting within each Borough, City, County, or Diviſion, reſpectively, to be preſent at the time and place of Election, in the nature of Sheriffes to regulate the Elections, and by Pole, or otherwiſe, clearly to diſtinguiſh and judge thereof, and to make returne of the Perſon or Perſons Elected as is hereafter expreſt, and ſhall likewiſe in writing under their hands and Seales, make Certificates of the ſeverall Diviſions (with the bounds thereof) by them ſet forth, and of the certaine places of meeting, and Perſons, in the nature of Sheriffes appointed in them reſpectively as aforeſaid, and cauſe ſuch Certificates to be returned into the Parliament Records before the end of *April* next, and before that time ſhall alſo cauſe the ſame to be publiſhed in every Pariſh within the Counties, Cities, and Boroughs reſpectively, and ſhall in every ſuch Pariſh likewiſe nominate and appoint (by Warrant under their hands and Seals) one Truſty perſon, or more, inhabiting therein, to make a true liſt of al the Perſons within their reſpective Pariſhes, who according to the rules aforegoing are to have voyce in the Elections, and expreſſing, who amongſt them are by the ſame rules capable

Memorandum, *That the Commiſſioners for the reſpective Counties, Cities, and Boroughs, are to returne a Computation of the number of Subſcribers in the ſeverall Pariſhes unto the Truſtees herein named before the end of* April *next, at ſuch place, and in ſuch forme as the ſaid Truſtees, or any five or more of them ſhall direct.*

capable of being Elected, and ſuch Liſt (with the ſaid Warrant) to bring in, and returne at the time and place of Election, unto the Perſon appointed in the nature of Sheriffe, as aforeſaid, for that Borough, City, County, or Diviſion reſpectively; which Perſon ſo appointed as Sheriffe being preſent at the time and place of Election; or in caſe of his abience by the ſpace of one houre after the time limited for the peoples meeting, then any Perſon preſent that is eligible, as aforeſaid, whom the people then and there aſſembled ſhall chuſe for that end, ſhall receive and keep the ſaid Liſts, and admit the Perſons therein contained, or ſo many of them as are preſent unto a free Vote in the ſaid Election, and having firſt cauſed this Agreement to be publiquely read in the audience of the people, ſhall proceed unto, and regulate and keep peace and order in the Elections, and by Pole, or otherwiſe, openly diſtinguiſh and judge of the ſame: And thereof by Certificate, or writing under the hands and Seales of himſelfe, and ſix or more of the Electors (nominating the Perſon or Perſons duly Elected) ſhall make a true returne into the Parliament Records, within one and twenty dayes after the Election (under paine for default thereof, or for making any falſe Returne to forfeit one hundred pounds to the Publique uſe.) And ſhall alſo cauſe Indentures to be made, and interchangeably ſealed and delivered betwixt himſelfe, and ſix or more of the ſaid Electors on the one part, and the Perſons, or each Perſon Elected ſeverally on the other part, expreſſing

ſing their Election of him as a Repreſentor of them, according to this Agreement, and his acceptance of that truſt, and his promiſe accordingly to performe the ſame with faithfulneſſe, to the beſt of his underſtanding and ability, for the glory of God, and good of the people.

This courſe is to hold for the firſt Repreſentative, which is to provide for the aſcertaining of theſe Circumſtances in order to future Repreſentatives.

4 That one hundred and fifty Members at leaſt be alwaies preſent in each ſitting of the Repreſentative, at the paſſing of any Law, or doing of any Act, whereby the people are to be bound; ſaving, That the number of ſixty may make an Houſe for Debates, or Reſolutions that are preparatory thereunto.

5 That each Repreſentative ſhall within twenty dayes after their firſt meeting appoint a Councell of State for the managing of Publique Affaires, untill the tenth day after the meeting of the next Repreſentative, unleſſe that next Repreſentative thinke fit to put an end to that truſt ſooner. And the ſame Councell to Act, and proceed therein, according to ſuch Inſtructions and limitations as the Repreſentative ſhall give, and not otherwiſe.

6 That in each intervall betwixt Bienniall Repre-

preſentarives, the Councell of State (in caſe of imminent danger, or extreame neceſſity) may ſummon a Repreſentative to be forthwith choſen, and to meet; ſo as the Seſſion thereof continue not above fourefcore dayes, and ſo as it diſſolve, at leaſt, fifty dayes before the appointed time for the next Biennall Repreſentative, and upon the fiftyeth day ſo preceeding it ſhall diſſolve of courſe, if not otherwiſe diſſolved ſooner.

7 That no Member of any Repreſentative be made either Receiver, Treaſurer, or other Officer, during that imployment, ſaving to be a Member of the Councell of State.

8 That the Repreſentatives have, and ſhall be underſtood, to have, the Supreame truſt in order to the preſervation and Government of the whole, and that their power extend, without the conſent or concurrence of any other Perſon or Perſons, to the erecting and aboliſhing of Courts of Juſtice, and publique Offices, and to the enacting, altering, repealing, and declaring of Lawes, and the higheſt and finall Judgement, concerning all Naturall or Civill things, but not concerning things Spirituall or Evangelicall; Provided, that even in things Naturall and Civill theſe ſix particulars next following, are, and ſhall be underſtood to be excepted, and reſerved from our Repreſentatives, *viz.*

1 We doe not impower them to impreſt or conſtraine any Perſon to ſerve in Forraigne Warre either by Sea or Land, nor for any Millitary Service within the KINGDOME, ſave that they may take order for the

420

the forming, training and exerciſing of the people in a Military way to be in readineſſe for reſiſting of Forrain Invaſions, ſuppreſſing of ſuddain Inſurrections, or for aſſiſting in execution of Law; and may take order for the imploying and conducting of them for thoſe ends; provided, That even in ſuch caſes none be compellable to goe out of the County he lives in, if he procure another to ſerve in his roome.

2. That after the time herein limited for the commencement of the firſt Repreſentative, none of the people may be at any time queſtioned for any thing ſaid or done in relation to the late Warres, or publique differences, otherwiſe then in execution or puriuance of the determinations of the preſent Houſe of Commons againſt ſuch as have adhered to the King, or his intereſt againſt the people: And ſaving that Accomptants for publique monies received, ſhall remaine accomptable for the ſame.

3. That no ſecurities given, or to be given by the Publique Faith of the Nation, nor any engagements of the Publique Faith for ſatisfaction of debts and dammages, ſhal be made void or invalid by the next, or any future Repreſentatives; except to ſuch Creditors, as have, or ſhall have juſtly forfeited the ſame; and ſaving, That the next Repreſentative may confirme or make null, in part, or in whole, all gifts of Lands, Monies, Offices, or otherwiſe, made by the preſent Parliament to any Member or Attendant of either Houſe.

4. That in any Lawes hereafter to be made, no perſon, by vertue of any tenure, grant, Charter, patent, degree or birth, ſhall be priviledged from ſubjection thereto, or from being bound thereby, as well as others.

5. That the Repreſentative may not give judgement upon any mans perſon or eſtate, where no Law hath before provided; ſave onely in calling to Account, and puniſhing publique Officers for abuſing or failing their truſt.

6. That no Repreſentative may in any wiſe render up, or

give, or take away any the Foundations of common Right, Liberty and Safety contained in this Agreement; nor levell mens Eſtates, deſtroy Propriety, or make all things common: And that in all matters of ſuch fundamentall concernment, there ſhall be a liberty to particular Members of the ſaid Repreſentatives to enter their diſſents from the *major* vote.

9. *Concerning Religion, we agree as followeth:*

1. It is intended, That Chriſtian Religion be held forth and recommended, as the publike Profeſſion in this Nation (which wee deſire may by the grace of God be reformed to the greateſt purity in Doctrine, Worſhip and Diſcipline, according to the Word of God.) The inſtructing of the People whereunto in a publike way (ſo it be not compulſive) as alſo the maintaining of able Teachers for that end, and for the confutation or diſcovery of Hereſie, Errour, and whatſoever is contrary to ſound Doctrine, is allowed to be provided for by our Repreſentatives; the maintenance of which Teachers may be out of a publike Treaſury, and wee deſire not by tithes. Provided, That Popery or Prelacy be not held forth as the publike way or profeſſion in this Nation.

2. That to the publique Profeſſion ſo held forth none be compelled by penalties or otherwiſe; but onely may be endeavoured to be wonne by ſound Doctrine, and the Example of a good Converſation.

3. That ſuch as profeſſe Faith in God by Jeſus Chriſt (however differing in judgement from the Doctrine, Worſhip or Diſcipline publikely held forth, as aforeſaid) ſhall not be reſtrained from, but ſhall be protected in the profeſſion of their Faith and exerciſe of Religion according to their Conſciences in any place (except ſuch as ſhall be ſet apart for the publick Worſhip, where wee provide not for them, unleſſe they have leave) ſo as they abuſe not this liberty to the civil injury of others, or to actuall diſturbance of

the

the publique peace on their parts; nevertheleſſe it is not intended to bee hereby provided, That this liberty ſhall neceſſarily extend to Popery or Prelacy.

4. That all Lawes, Ordinances, Statutes, and clauſes in any Law, Statute, or Ordinance to the contrary of the liberty provided for in the two particulars next preceding concerning Religion be and are hereby repealed and made void.

10. It is agreed, That whoſoever ſhall by Force of Armes, reſiſt the Orders of the next or any future Repreſentative (except in caſe where ſuch Repreſentative ſhall evidently render up, or give, or take away the Foundations of common Right, Liberty and Safety contain'd in this Agreement) ſhall forthwith after his or their ſuch Reſiſtance loſe the benefit and protection of the Laws, and ſhall be puniſhable with Death, as an Enemy and Traitour to the Nation.

The form of ſubſcription for the Officers of the Army.

Of the things expreſt in this Agreement, The certain ending of this Parliament (as in the firſt Article) The equall or proportionable diſtribution of the number of the Repreſentators to be elected (as in the ſecond) The certainty of the peoples meeting to elect for Repreſentatives Bienniall, and their freedome in Elections with the certainty of meeting, ſitting and ending of Repreſentatives ſo elected (which are provided for in the third Article) as alſo the Qualifications of Perſons to elect or be elected (as in the firſt and ſecond particulars under the third Article) Alſo the certainty of a number for paſſing a Law or preparatory debates (provided for in the fourth Article) The matter of the fifth Article, concerning the Councel of State, and the ſixth concerning the calling, ſitting and ending of Repreſentatives extraordinary; Alſo the power of Repreſentatives, to be, as in the eighth Article, and limitted, as in the ſix reſerves next following the ſame; Likewiſe the ſecond

and third particulars under the ninth Article concerning Religion, and the whole matter of the tenth Article; (All these) we doe account and declare to be Fundamentall to our common Right, Liberty, and Safety; And therefore doe both agree thereunto, and resolve to maintain the same, as God shall enable us. The rest of the matters in this Agreement, wee account to be usefull and good for the Publike, and the particular circumstances of Numbers, Times and Places expressed in the severall Articles, we account not Fundamentall, but we finde them necessary to be here determined for the making the Agreement certain and practicable, and do hold those most convenient that are here set down, and therefore do positively agree thereunto.

A Declaration of the Generall Councell of Officers of the Army:

Concerning the Agreement by them framed in order to peace, and from them tendred to the People of England.

HAVING ever ſince the end of the firſt War longingly waited for ſome ſuch ſettlement of the Peace and Government of this Nation, whereby the Common Rights, Liberties and ſafety thereof, might in future be more hopefully provided for, and therein ſomething gained, which might be accounted to the preſent age and poſterity (through the mercy of God) as a fruit of their labours, hazards and ſufferings, that have engaged in the common cauſe, as ſome price of the bloud ſpilt, and ballance to the publique expence and damage ſuſtained in the War, and as ſome due improvement of that ſucceſſe, and bleſſing God hath pleaſed togive therein: And having not found any ſuch Eſtabliſhment aſſayed or endeavoured by thoſe whoſe proper worke it was, but the many addreſſes and deſires of our ſelves, and others, in that behalfe, rejected, diſcountenanced and oppoſed, and onely a corrupt cloſure endeavoured with the King, on tearmes, ſerving onely to his intereſt, and theirs that promoted the ſame; And being thereupou (for the avoidance of the evil thereof, and to make way for ſome better ſettlement) neceſſitated to take extraordinary wayes of remedy (when the ordinary were denied;) Now to exhibit our utmoſt endeavors for ſuch a ſettlement, whereupon we, and other Forces, (with which the Kingdome hath ſo long beene burthened above meaſure, and whoſe continuance ſhall not be neceſſary for the immediate ſafety and quiet thereof) may with comfort to our ſelves, and honeſty towards the publique, disband, and returne to our homes and callings; and to the end mens jealouſies and feares may be removed concerning any intentions in us to hold up our ſelves in power, to oppreſſe or domineer over the people by the ſword; And that all men may fully underſtand thoſe grounds of Peace and Government wherupon (they may reſt aſſured) We ſhall for our parts acquieſce; We have ſpent much time to pre-

pare, and have at laſt (through the bleſſing of God) finiſhed a Draught of ſuch a ſettlement, in the nature of an Agreement of the People for Peace amongſt themſelves; Which we have lately preſented to the Honourable the Commons now aſſembled in Parliament, and doe herewith tender to the people of this Nation.

We ſhal not otherwiſe commend it, then to ſay, It contains the beſt and moſt hopefull Foundations for the Peace, & future wel Government of this Nation, that we can deviſe or think on, within the line of humane power, and ſuch, wherin all the people intereſſed in this Land (that have not particular intereſts of advantage & power over others, divided from that which is common and publique) are indifferently and equally provided for, ſave where any have juſtly forfeited their ſhare in that common intereſt by oppoſing it, and ſo rendred themſelves incapable thereof (at leaſt) for ſome time: And we call the Conſciences of all that reade or hear it, to witneſſe, whether wee have therein provided or propounded any thing of advantage to our ſelves in any capacity above others, or ought, but what is as good for one as for another: And therefore as we doubt not but that (the Parliament being now freed from the obſtructing and perverting Councels of ſuch Members, by many of whom a corrupt compliance with the Kings Intereſt hath beene driven on, and all ſettlement otherwiſe hath hitherto beene hindred) Thoſe remaining worthy Patriots to whom we have preſented the Agreement, will for the maine allow thereof, and give their ſeale of Approbation thereby; So we deſire and hope, That all good People of *England* whoſe heart God ſhall make ſenſible of their, and our common concernment therein, and of the uſefulneſſe and ſutableneſſe thereof to the publique ends it holds forth, will cordially embrace it, and by ſubſcription declare their concurrence, and accord thereto, when it ſhall be tendred to them, as is directed therein; wherein, if it pleaſe God wee ſhall finde a good Reception of it with the people of the Nation, or the Well-affected therein, We ſhall rejoyce at the hoped good to the Commonwealth, which (through Gods mercy) may redound therefrom, and that God hath vouchſafed thereby to make us

inſtrumentall

429

inſtrumentall for any good ſettlement to this poor diſtra-cted Country, as he hath formerly made us for the avoid-ing of evill. But if God ſhall (in his Righteous Judgement towards this Land) ſuffer the people to be ſo blinded as not to ſee their own common good and freedome, endea-voured to be provided for therein, or any to be ſo deluded (to their own and the publique prejudice) as to make op-poſition thereto, whereby the effect of it be hindred, we have, yet, by the preparation and tender of it diſcharged our Conſciences to God, and duty to our native Country in our utmoſt endeavours for a ſettlement, (to the beſt of our underſtandings) unto a juſt publique intereſt; And hope we ſhall be acquitted before God and good men, from the blame of any further troubles, diſtractions, or miſeries to the Kingdom, which may ariſe through the neglect or re-jection thereof, or oppoſition thereto.

Now whereas there are many good things in particular ters which our own Reaſons & obſervations or the Petiti-ons of others have ſuggeſted, and which we hold requiſite to be provided for in their proper time and way (as the ſetting of moderate Fines upon ſuch of the Kings party, as ſhal not be excepted for life, with a certain day for their coming in and ſubmitting, and an Act of pardon to ſuch as ſhall come in and ſubmit accordingly, or have already compounded, The ſetling of a Revenue for all neceſſary publique uſes, in ſuch a way as the people may be moſt eaſed, The aſſigning and aſcertayning of ſecurities for Souldiers Arrears, and for publique Debts and Damages. The taking away of Tithes, and putting that maintenance which ſhall be thought competent for able Teachers to inſtruct the peo-ple, into ſome other way, leſſe ſubject to ſcruple or conten-tion, the clearing and perfecting of Accompts for all pub-lique Monies, the relieving of priſoners for Debt; the re-moving or reforming of other evills or inconveniencies in the preſent Lawes, and Adminiſtrations thereof, the re-dreſſe of abuſes, and ſupplying of Defects therein, the put-ting of all the Lawes and proceedings thereof into the Engliſh tongue, the reducing of the courſe of Law to more brevity and leſſe charge, the ſetling of Courts of Juſtice

and

and Record in each County or leſſe Diviſions of the Kingdome, and the erecting of Courts of Merchants for controverſies in trading, and the like.) Theſe and many other things of like ſort being of a particular nature, and requiring very particular and mature conſideration, with large experience in the particular matters then we have, and much diſcretion, that by taking away of preſent Evills greater inconveniences may not enſue for want of other proviſions in the room thereof, where it is neceſſary; and we (for our parts) being far from any Deſire or thought to aſſume or exerciſe a Law-giving, or Judiciall power over the Kingdome, or to meddle in any thing ſave the fundamentall ſetling of that power in the moſt equall and hopefull way for Common Right, Freedom, and Safety (as in this Agreement) and having not meanes nor time for, nor the neceſſitie of ſome preſent generall ſettlement admitting the delay of, ſuch a conſideration, as ſeems requiſite in relation to ſuch numerous particulars, we have purpoſely declined the inſerting of ſuch things into this Agreement. But (as we have formerly expreſſed our deſires that way, ſo) when the matters of publique Juſtice, and generall ſettlement are over, we ſhall not be wanting (if needfull) humbly to recommend ſuch particulars to the Parliament, by whom they may more properly, ſafely, and ſatisfactorily be provided for, and we doubt not but they will be ſo, ſuch of them, at leaſt, as are of more neare and preſent concernment, by this Parliament, and the reſt by future Repreſentatives in due time.

And thus we recommend for preſent the buſineſſe of this Agreement without further addition to the beſt conſideration of all indifferent and equall minded men, and commit the iſſue thereof (as of all our wayes and concernments) to the good pleaſure of the Lord, whoſe will is better to us then our own, or any inventions of ours, who hath decreed and promiſed better things then we can wiſh or imagine, and who is moſt faithfull to accompliſh them in the beſt way and ſeaſon.

By the appointment of the Generall Councell of Officers.

Iohn Ruſhworth Secretary.

FINIS.